REMARKS

In response to the Office Action dated January 25, 2007, claims 1, 4, 5, 9, 11, 12, 16, 17, 21 and 25 have been amended and claims 17-27 have been renumbered to claims 18-28. Claims 1-28 are in the case. Reexamination and reconsideration of the application, as amended, are requested.

The Office Action objected to claims as being incorrectly numbered.

In response, the Applicant has renumbered claims 17-27 to claims 18-28 to overcome this objection.

The Office Action objected to claims 5, 11, 12, 17-1, 17-2, 21 and 25 due to minor informalities.

In response, the Applicant has amended appropriate claims as suggested by the Examiner to overcome this objection.

The Office Action rejected claims 1-5, 7, 9-12, 14, 16, 17, 19, 21-25 and 27 under 35 U.S.C. § 103(a) as being unpatentable over Carmi et al. (U.S. Patent Publication No. 2003/0174242) in view of Nakamura et al. (U.S. Patent No. 7,009,643). The Office Action rejected claims 6, 8, 13, 15, 18, 20 and 26 under 35 U.S.C. § 103(a) as being unpatentable over Carmi et al. (U.S. Patent Publication No. 2003/0174242) in view of Nakamura et al. (U.S. Patent No. 7,009,643) and in view of Ohkubo (U.S. Patent Publication No. 2003/0184653).

The Applicant respectfully traverses these rejections based on the amendments to the claims and the arguments below.

Specifically, the Applicant's independent claims now include automatically creating at least one subdirectory for the at least one folder based on at least one predetermined agenda relating to the at least one event. In addition, claims 8, 15 and 21 now include automated downloads to the peripheral device for automatically maintaining naming conventions. Further, claim 22 now includes third party folder creation means operative on the computer device for creating at least one third party folder on at least one third party peripheral device into which files created on the at least one third party peripheral device after the predetermined time are automatically placed and for automatically creating at least one third party subdirectory for the at least one

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third party folder based on the predetermined agenda relating to the at least one event.
Support for these amendments can be found throughout the specification and at least in
FIGS. 1-3 and paragraphs [0021], [0026] and [0027] of the Application specification
(U.S. Patent Publication No. 2005/0083406).

In contrast, the combined references merely disclose automatic determination of
image storage location using image metadata comparison method (see Fig. 1, the
Abstract and the Summary of Nakamura et al.), creating folders by the computing
device and then storing and organizing images in the created folders (see paragraphs
[0151] – [0164] of Carmi et al.) and classifying image data sets into an event (see
Abstract and Summary or Ohkubo). Although the combined references disclose
subdirectories (see Fig. 3 and paragraph [0076] of Ohkubo), this is very different from
the Applicant's claimed automatically creating at least one subdirectory for the at least
one folder **based on at least one predetermined agenda** relating to the at least one
event.

For example, the combined references instead **explicitly** state that as "...shown
in FIG. 3, a folder "year 2001" has been generated to include the folder "summer
vacation". The folder "year 2001" includes the "summer vacation" folder, and the
"summer vacation" folder includes the folders "home", "Nagano", "beach", and
"Disneyland". The "Nagano" folder includes the folders "7/30", "7/31" and "8/1". Each of
the image data sets S0 are *stored in the folders of the lowest hierarchy*. The folders
and the image data sets S0 therein are sorted in chronological order of photography.
(see Fig. 3 and paragraph [0076] of Ohkubo) [*emphasis added*]. Thus, the
subdirectories in the combined references are based on temporal hierarchies, and **not**
based on a **predetermined agenda**, like the Applicants' claimed invention.

Therefore, among other things, the combined references do **not** disclose, teach
or suggest the Applicant's claimed automatically creating at least one subdirectory for
the at least one folder **based on at least one predetermined agenda** relating to the at
least one event. In addition, with regard to claims 8, 15 and 21, the combined
references are also missing automated downloads to the peripheral device for
automatically maintaining naming conventions. Further, with regard to claim 22, the
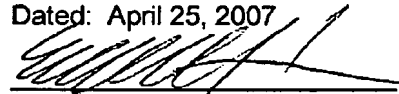
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combined cited references are also clearly missing **third party folder creation means** operative on the computer device for creating at least one **third party folder** on at least one third party peripheral device into which files created on the at least one third party peripheral device after the predetermined time are automatically placed **and** for automatically creating at least one third party subdirectory for the at least one third party folder based on the predetermined agenda relating to the at least one event. Hence, since the combined references are missing features of the Applicant's claimed invention, the combined references cannot render the Applicant's invention obvious. This failure of the cited reference to disclose, suggest or provide motivation for the Applicant's claimed invention indicates a lack of a prima facie case of obviousness and, thus, the rejections should be withdrawn (MPEP 2143).

Further, with regard to the dependent claims, since they depend from the above-argued respective independent claims, they are therefore patentable on the same basis. (MPEP § 2143.03). Also, the other references cited by the Examiner also have been considered by the Applicant in requesting allowance of the dependant claims and none have been found to teach or suggest the Applicant's claimed invention.

Thus, it is respectfully requested that all of the claims be allowed based on the amendments and arguments. Accordingly, the Examiner is respectfully requested to withdraw the outstanding rejection of the claims and to pass this application to issue. Additionally, in an effort to further the prosecution of the subject application, the Applicant kindly **requests** the Examiner to telephone the Applicant's attorney at **(818) 885-1575**. Please note that all mail correspondence should continue to be directed to

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Respectfully submitted,
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